

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EVART ENTERPRISES, INC., :
Plaintiff, : Docket No. 07 CV 5441
- against - : (DLC) (DFE)
GENTLEMEN'S VIDEO, INC., et al., : **NOTICE OF MOTION**
Defendants. :

-x

PLEASE TAKE NOTICE, that upon the annexed declaration of Edward S. Rudofsky, executed on the 11th day of October, 2007, the exhibits thereto, the declaration of Michael Esposito, executed on the 12th day of October, 2007, and the accompanying memorandum of law, the undersigned will move the Court, on the 12th day of November, 2007, at 9:30 A.M. or as soon thereafter as the matter may be heard, at the Courthouse, 500 Pearl Street, New York, New York 10007, for an Order dismissing or staying the above-captioned action in the exercise of the Court's retained jurisdiction and discretion pursuant to paragraph 4 of the Consent Judgment and Permanent Injunction entered in Evart Enterprises, Inc. v. Gentlemen's Video, Inc., Docket No. 06 CV 13207 (DLC) (DFE), and granting defendants such other, further and different relief as is just, necessary and proper.

Dated: New York, New York
October 12, 2007

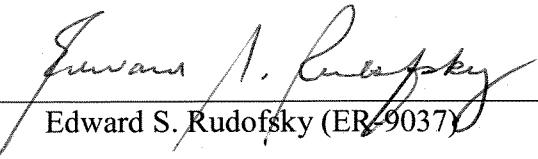
Yours, etc.,

ZANE and RUDOFSKY

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By:


Edward S. Rudofsky (ER-9037)

TO: **QUIRK AND BAKALOR, P.C.**

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